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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/064,962	FORD ET AL.
	Examiner	Art Unit	
	Gerardo Araque Jr.	3689	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *21 July 2008*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-20* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-20* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some *   c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/21/08*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Specification

1.   The specification has not been checked to the extent necessary to determine the

presence of all possible minor errors. Applicant's cooperation is requested in correcting

any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claims 1 – 2, 6 – 10, 14 – 15, and 18** are rejected under 35 U.S.C. 103(a) as

being anticipated by **Himes (US 2003/0191660 A1)** in view of **Bill Wink Chevrolet**

(http://web.archive.org/web/20020222201739/http://www.billwinkchevy.com/appoi

ntment.htm) [hereinafter referred to as Wink].

4.   In regards to **claim 1**, **Himes** discloses an online method for advising a customer

on service needs and facilitating the scheduling of a vehicle service appointment, the

method comprising **(Page 4 ¶ 35)**:

- receiving a service inquiry wherein the service inquiry is selected from the

  group consisting:

     i.   a service request, a scheduled maintenance request, and a recall

     request **(Page 2 ¶ 18 Lines 18, 22; see also discussion under**

Response to Arguments for the specific reasoning of the provided citation);

- receiving input information regarding the potential service of the vehicle **(Page 2 ¶ 19)** wherein

    i.   if the service inquiry is a service request, the input information includes information defining vehicle symptoms pertinent to the service request **(Page 2 ¶ 18)** or

    ii.   if the service inquiry is the scheduled maintenance request or the recall request, the input information includes a vehicle identification number or the vehicle make, vehicle model year, and vehicle model wherein the input information is used to determine whether service is advised for the vehicle **(Page 2 ¶ 22; Page 3 ¶ 24)**; and

- transmitting the input information and an appointment request to a vehicle service provider to facilitate the scheduling of the vehicle service appointment **(Page 4 ¶ 35)**.

Himes discloses a method and system of scheduling an appointment with a vehicle service provider, but fails to explicitly disclose:

- transmitting a plurality of open appointments, wherein each of the plurality of open appointments is comprised of a preselected date and time based on available appointment dates and times for a vehicle service provider;

- receiving an appointment request relating to one of the plurality of open appointments.

However, **Wink** discloses an online vehicle scheduling system where a customer is presented with various days to choose from, which are based on dates and times of when the vehicle service provider is available. As the customer clicks on the drop down box, the customer is presented with the choices of Monday - Friday to select from. Once the day has been selected, the customer submits the appointment request, along with other inputted information, to the dealership, such as the customer's name, vehicle make/model and year. Moreover, one of ordinary skill in the art would have also been aware that vehicle service providers are open during specific times in the day and it would have been obvious, given this knowledge, that the time in which the appointment would be desired would not be at an unreasonable time, such as midnight.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of **Himes** in view of the teachings of **Wink** to include an automated scheduling system since the invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable and would not have been uniquely challenging or difficult.

5.   In regards to **claim 2, the combination of Himes and Wink** discloses wherein the service inquiry is the service request and wherein the input information defining vehicle symptoms pertinent to the service request includes a vehicle symptom string **(Page 3 ¶ 32)**.

6.   In regards to **claim 6**, **the combination of Himes and Wink** discloses wherein the service inquiry is selected by the customer **(Page 2 ¶ 18)**.

7.   In regards to **claim 7**, **the combination of Himes and Wink** discloses receiving available appointment dates and arrival times from the vehicle service provider **(Page 1 ¶ 11; 2 ¶ 11)**.

8.   In regards to **claim 8**, **the combination of Himes and Wink** discloses wherein the service inquiry is the vehicle maintenance request and further comprising retrieving a vehicle maintenance schedule for the vehicle based on the input information **(Page 2 ¶ 18, 20; Page 3 ¶ 24)**.

9.   In regards to **claim 10**, **the combination of Himes and Wink** discloses transmitting to the customer the input information to the customer prior to transmitting the input information and the appointment request **(Page 4 ¶ 35, 39, 40)**.

10.   In regards to **claims 11 – 13**, **Himes** discloses an online vehicle service method comprising: receiving a service inquiry wherein the service inquiry is selected from the group comprising **(Page 4 ¶ 35)**:

- a service request, a scheduled maintenance request, a recall request, and a vehicle status request **(Page 2 ¶ 18, 22, 23; see also discussion under Response to Arguments for the specific reasoning of the provided citation)**;

- receiving input information regarding the potential service of the vehicle **(Page 2 ¶ 19)** wherein

      i.   if the service inquiry is a service request, the input information

includes information defining vehicle symptoms pertinent to the service

request **(Page 2 ¶ 18)** or

      ii.   if the service inquiry is the scheduled maintenance request or the

recall request, the input information includes a vehicle identification

number or the vehicle make, vehicle model year, and vehicle model

wherein the input information is used to determine whether service is

advised for the vehicle **(Page 2 ¶ 22; Page 3 ¶ 24)** or

      iii.   if the service inquiry is the vehicle status request, the input

information includes an at least last name of a customer checking on the

vehicle status wherein the input information is used to determine the

vehicle status **(Page 2 ¶ 22)**; and

- transmitting the input information and an appointment request to a vehicle

  service provider to facilitate the scheduling of the vehicle service appointment

  (Page 4 ¶ 35).

Himes further discloses wherein the service inquiry is the vehicle status request

and further comprising receiving vehicle status information from the vehicle service

provider and transmitting the information to the customer **(Page 2 ¶ 23; Page 4 ¶ 35)**.

      However, Himes does not explicitly disclose providing the status information of

work in progress.

      However, it is old and well known in the art for customers to input information into

an online service provider to know that status of their service. For example, finding the

status of a package being sent through them through UPS, FedEx, and etc. is only a

matter of having the customer go online and inputting the information at either the

above mentioned carriers or at the service providers website, such as Amazon.com. It

is old and well known for customers to call a mechanic in order to know that status of

the vehicle by providing their name or the vehicle type. One skilled in the art would

have found it obvious to carry over this same type of service to the online system

provided by Himes. It would be poor business practice for a mechanic to provide an

online system and providing fewer services than those that are provided in person or

over the phone since it would cause customers to not use the online service.

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to provide a vehicle status option as is already known in the art

into the system of Himes in order for a vehicle maintenance service provider to continue

providing the same quality of service that is provided over the phone or in person.

Himes discloses a method and system of scheduling an appointment with a

vehicle service provider, but fails to explicitly disclose:

- transmitting a plurality of open appointments, wherein each of the plurality of

  open appointments is comprised of a preselected date and time based on

  available appointment dates and times for a vehicle service provider;

- receiving an appointment request relating to one of the plurality of open

  appointments.

However, **Wink** discloses an online vehicle scheduling system where a customer

is presented with various days to choose from, which are based on dates and times of

when the vehicle service provider is available. As the customer clicks on the drop down

box, the customer is presented with the choices of Monday - Friday to select from.

Once the day has been selected, the customer submits the appointment request, along

with other inputted information, to the dealership, such as the customer's name, vehicle

make/model and year. Moreover, one of ordinary skill in the art would have also been

aware that vehicle service providers are open during specific times in the day and it

would have been obvious, given this knowledge, that the time in which the appointment

would be desired would not be at an unreasonable time, such as midnight.

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to modify the invention of **Himes** in view of the teachings of

Wink to include an automated scheduling system since the invention is merely a

combination of old elements, and in the combination each element merely would have

performed the same function as it did separately, and one of ordinary skill in the art

would have recognized that the results of the combination were predictable and would

not have been uniquely challenging or difficult.

11.   In regards to **claim 14**, **Himes** discloses an online system for advising a

customer on service needs and facilitating the scheduling of a vehicle service

appointment, the system comprising **(Page 4 ¶ 35)**

- at least one server computer operably serving at least one client computer,

    the at least one server computer configured to **(Page 4 ¶ 35, 39)**:

        (i) receive a service inquiry wherein the service inquiry is selected

    from the group comprising: a service request, a scheduled maintenance

request, and a recall request **(Page 2 ¶ 18 Lines 18, 22; see also discussion under Response to Arguments for the specific reasoning of the provided citation)**;

(ii) receive input information regarding the potential service of the vehicle **(Page 2 ¶ 19)** wherein

(a)   if the service inquiry is a service request, the input information includes information defining vehicle symptoms pertinent to the service request **(Page 2 ¶ 18)** or

(b)   if the service inquiry is the scheduled maintenance request or the recall request, the input information includes a vehicle identification number or the vehicle make, vehicle model year, and vehicle model wherein the input information is used to determine whether service is advised for the vehicle **(Page 2 ¶ 22; Page 3 ¶ 24)**; and

- (v) transmit the input information and an appointment request to a vehicle service provider to facilitate the scheduling of the vehicle service appointment **(Page 4 ¶ 35)**.

Himes discloses a method and system of scheduling an appointment with a vehicle service provider, but fails to explicitly disclose:

- (iii) transmitting a plurality of open appointments, wherein each of the plurality of open appointments is comprised of a preselected date and time based on available appointment dates and times for a vehicle service provider;

- (iv) receiving an appointment request relating to one of the plurality of open appointments.

However, **Wink** discloses an online vehicle scheduling system where a customer is presented with various days to choose from, which are based on dates and times of when the vehicle service provider is available. As the customer clicks on the drop down box, the customer is presented with the choices of Monday - Friday to select from. Once the day has been selected, the customer submits the appointment request, along with other inputted information, to the dealership, such as the customer's name, vehicle make/model and year. Moreover, one of ordinary skill in the art would have also been aware that vehicle service providers are open during specific times in the day and it would have been obvious, given this knowledge, that the time in which the appointment would be desired would not be at an unreasonable time, such as midnight.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of **Himes** in view of the teachings of **Wink** to include an automated scheduling system since the invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable and would not have been uniquely challenging or difficult.

12.   In regards to **claim 15**, **the combination of Himes and Wink** discloses wherein the at least one server computer is additionally configured to receive available

appointment dates and arrival times from the vehicle service provider **(Page 1 ¶ 11; 2 ¶
11)**.

13.   In regards to **claim 18, the combination of Himes and Wink** discloses wherein
the service inquiry is the service request and wherein the input information defining
vehicle symptoms pertinent to the service request includes a vehicle symptom string
(Page 3 ¶ 32).

14.   **Claims 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Himes
(US 2003/0191660 A1)** in view of **Bill Wink Chevrolet
(http://web.archive.org/web/20020222201739/http://www.billwinkchevy.com/appoi
ntment.htm) [hereinafter referred to as Wink]** in further view of **Jim Mateja
(Monroney Label a Window of Opportunity for Sellers)**.

15.   In regards to **claim 9, the combination of Himes and Wink** discloses inputting
a VIN into the system and providing recommended vehicle services, as discussed
above.

        However, **the combination of Himes and Wink** fails to explicitly disclose:

        wherein the service inquiry is the recall request and further comprising
determining whether a recall exists for the customer's vehicle based on the input
information.

        Mateja, however, discloses that it is old and well known in the art to provide a
VIN into a dealer's computer to determine whether a recall exists for a vehicle. As a
result, it would have been obvious to look upon **Mateja** as a teaching for **the
combination of Himes and Wink** to provide recall information to a dealer when a VIN

is inputted into the system of **the combination of Himes and Wink** so that a full list of

recommended services can be provided to a user.

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to modify **the combination of Himes and Wink** in view of the

teachings of **Mateja** to input a VIN into the dealer management system in order to

provide a customer with a thorough report of recommended services.

16.   **Claims 3 – 5, 16 – 17, and 19 – 20** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Himes (US 2003/0191660 A1)** in view of in view of **Bill Wink**

Chevrolet

(http://web.archive.org/web/20020222201739/http://www.billwinkchevy.com/appoi

ntment.htm) [hereinafter referred to as Wink] in further view of **Singer (US Patent**

6,304,848 B1) in further view of **Blasingame et al. (US 2002/0022975 A1)**.

17.   In regard to **claims 3 and 19**, **the combination of Himes and Wink** are

discussed above, but fails to disclose determining an at least two symptom probing

questions based on the vehicle symptom string and for obtaining at least two symptom

probing answers from the customer.

However, **Blasingame** discloses a method of scheduling patients with the use of

a pre-visit patient summary, which comprises medical "key" questions regarding to the

patient's condition **(Page 1 ¶ 10)**.

Further still, **Singer** further defines that the use of symptom probing questions is

old and well known. **Singer** discloses a key term recognizing means for matching

medical terms used by at least one medical personnel with patient conditions **(Column 3 Lines 7 – 21)**.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify **the combination of Himes and Wink** in view of the teachings of **Blasingame and Singer** to include a symptom probing question process based on the vehicle symptom string in order for the dealership/mechanic to be aware of what would be expected when the vehicle comes in for repairs.

18.   In regard to **claims 4 and 20**, the **combination of Himes/ Wink /Blasingame/Singer** is discussed above. Himes discloses the transmission of information to the customer **(Page 2 ¶ 18; Page 4 ¶ 35)**.

19.   In regards to **claim 5**, the **combination of Himes/ Wink /Blasingame/Singer** would transmit to the vehicle service provider the answers to the at least two symptom probing questions, as is discussed above.

20.   In regards to **claims 16 and 17**, **Blasingame** discloses the use of XML is old and well known to transport information **(Page 3 ¶ 72)**.

RESPONSE TO ARGUMENTS

21.   Applicant's arguments filed **7/21/08** have been fully considered but they are not persuasive.

Rejection under 35 USC 112, second paragraph

22.   Rejection under 35 USC 112, second paragraph, has been withdrawn due to amendments.

Newly Submitted Limitations

23.   Amendments made to the claims, which include, "...<u>transmitting a plurality of</u>

<u>open appointments, wherein each of the open appointments is comprised of a</u>

<u>preselected date and time based on available appointment date and time based on</u>

<u>available dates and time for a vehicle service provider</u>," and, "...<u>receiving an</u>

<u>appointment request relating to one of the plurality of open appointments, and</u>..." have

been addressed in the rejection above. The arguments regarding these limitations are

moot since they have never been presented before.

<u>Rejection under 35 USC 102(e)</u>

24.   Applicant argues that Himes fails to teach or suggest "if the service inquiry...is a

<u>recall request</u>, the input information includes a vehicle identification number or the

vehicle make, vehicle model year, and vehicle model."

         However, the Examiner asserts that the current claim language only claims,

"receiving a service inquiry wherein the service inquiry is **selected from the <u>group</u>**

<u>consisting of</u>: a service request, a scheduled maintenance request, and a recall

request...." Consequently, the Examiner further asserts that **Himes** does, indeed,

disclose, "receiving a service inquiry wherein the service inquiry is selected from the

group consisting of: a service request, a scheduled maintenance request, and a recall

request," since **Himes** discloses at least maintenance schedules and ¶ **34** discloses the

concept of non-maintenance schedule services.

         Further still, the Examiner also asserts that a recall request falls under

recommended services because a recall request is a request informing consumers of a

defect of a vehicle. The consumer is not required to bring in the vehicle for a repair and,

as a result, one of ordinary skill in the art would have known that a recall request is simply a service that is being recommended to be done. Moreover, **Himes** discloses customer specific maintenance schedules, which one of ordinary skill in the art would have realized would include a recall request since recall request are customer specific. Moreover, the applicant argues that maintenance is only periodic. However, the Examiner respectfully disagrees since a maintenance also aperiodic, such as doing a maintenance on a vehicle before going on a long trip.

25.   Applicant further argues the Himes fails to disclose or suggest "transmitting the input information and an appointment request to a vehicle service provider to facilitate the scheduling of the vehicle service appointment. However, as shown in ¶ 35, Himes discloses that the various functions are communicated (transmitted) between the PC and the ERA system or DMS that may be used. As a result, the above inputted information would be transmitted to the ERA or DMS that may be used.

Claims 2, 6 – 8, 10, 15, and 18

26.   All rejections made towards the dependent **claims 2, 6 – 8, 10, 15, and 18** are maintained due to the lack of a reply by the applicant in regards to distinctly and specifically point out the supposed errors in the examiner's action in the prior Office Action (37 CFR 1.111). The Examiner asserts that the applicant only argues that the dependent claims should be allowable because the independent claims are unobvious and unpatentable over **Himes (US PGPub 2003/0191660 A1)**.

Claim 9

27.   The rejection made toward the dependent **claim 9** is maintained due to the lack

of a reply by the applicant in regards to distinctly and specifically point out the supposed

errors in the examiner's action in the prior Office Action (37 CFR 1.111). The Examiner

asserts that the applicant only argues that the dependent claims should be allowable

because the independent claims are unobvious and unpatentable over **Himes (US**

PGPub 2003/0191660 A1) in view of **Jim Mateja (Monroney Label a Window of**

Opportunity for Sellers).

Claim 11

28.   Discussed above.

Claims 12 and 13

29.   In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., **(Claim 12)** the vehicle status information includes **a service status of work in**

progress) are not recited in the rejected claim(s). Although the claims are interpreted

in light of the specification, limitations from the specification are not read into the claims.

See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore,

the Examiner maintains the rejection since **Himes** does, indeed, disclose, "**(Claim**

12)...wherein the service inquiry is the vehicle status request and further comprising

receiving vehicle status information from the vehicle service provider," and, "**(Claim**

13)...transmitting to the customer vehicle status information," as discussed above.

Moreover, a "traverse" is a denial of an opposing party's allegations of fact.   The

Examiner respectfully submits that applicants' arguments and comments do not appear

to traverse what Examiner regards as knowledge that would have been generally

available to one of ordinary skill in the art at the time the invention was made. Even if

one were to interpret applicants' arguments and comments as constituting a traverse,

applicants' arguments and comments do not appear to constitute an adequate traverse

because applicant has not specifically pointed out the supposed errors in the examiner's

action, which would include stating why the noticed fact is not considered to be common

knowledge or well-known in the art. 27 CFR 1.104(d)(2), MPEP 707.07(a). An

adequate traverse must contain adequate information or argument to create on its face

a reasonable doubt regarding the circumstances justifying Examiner's notice of what is

well known to one of ordinary skill in the art. In re Boon, 439 F.2d 724, 728, 169 USPQ

231, 234 (CCPA1971).

If applicant does not seasonably traverse the well known statement during

examination, then the object of the well known statement is taken to be admitted prior

art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). MPEP 2144.03

Reliance on Common Knowledge in the Art or "Well Known" Prior Art. In view of

applicant's failure to adequately traverse official notice, the following are admitted prior

art::

(Claim 12): "...wherein the service inquiry is the vehicle status request and

further comprising receiving vehicle status information from the vehicle service

provider."

(Claim 13): "...transmitting to the customer vehicle status information."

Claim 14, 15 and 18

Applicant further argues that Himes fails to disclose "at least one server computer configured to...receive input information regarding the potential service of [a] vehicle...wherein the input information is used to determine whether service is advised for the vehicle." However, Himes discloses an online system for providing online vehicle service as discussed above, which would require the use of a server since it is an online system and service. All of the steps have been discussed above and it is inherently included that the computer components needed to carry out the method are included as well.

Rejection under 35 USC 103(a)

Claims 3 and 19

30.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **(Claim 3):** determine[ing] an at least two symptom probing questions based on the vehicle symptom string **and for obtaining at least two symptom probing answers from the customer**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

31.   Regarding the applicant's argument that the combination of Himes, Singer and Blasingame fail to disclose "determine[ing] an at least two symptom probing questions based on the vehicle symptom string **(Claim 19)** and for obtaining at least two symptom probing answers from the customer." Although the teaching reference is in regard to medical diagnosis, the Examiner is relying on the concept of inputting information into a

system to determine a final solution to a problem based on questions that the user is required to answer. As discussed above, Himes discloses within ¶ 32 that additional information may be entered into the system to describe the customer's complaint. One of ordinary skill in the art would have found it obvious through the teachings of both Singer and Blasingame to provide an automated system to carry out the concept mentioned above in order to provide the necessary information and possible solution to a mechanic and customer in order provide a more efficient method of attending to a customer's problem.

Claim 16 and 17

32.   All rejections made towards the dependent **claims 2, 6 – 8, 10, 15, and 18** are maintained due to the lack of a reply by the applicant in regards to distinctly and specifically point out the supposed errors in the examiner's action in the prior Office Action (37 CFR 1.111). The Examiner asserts that the applicant only argues that the dependent claims should be allowable because the independent claims are unobvious and unpatentable over **Himes (US PGPub 2003/0191660 A1)** in view of **Singer (US Patent 6,304,848 B1)** in further view of **Blasingame et al. (US PGPub 2002/0022975 A1)**.

Other Matters

33.   Applicant argues that Himes fails to disclose or suggest "receiving input information regarding the potential service of [a] vehicle…wherein the input information is used to determine whether service is advised for the vehicle." However, as discussed above, Himes discloses providing recommended vehicle maintenance schedules.

34.   Applicant argues that Himes fails to disclose or suggest "the input information defining symptoms pertinent to the service request includes a vehicle symptom string." However, Himes discloses within ¶ 32 that additional information may be entered into the system to describe the customer's complaint.

35.   Applicant argues that Himes fails to disclose or suggest "receiving available appointment dates and arrival times from the vehicle service provider." However, Himes discloses, "After selection of the maintenance items 209, a "quick write-up" sheet appears on the screen. The customer and the service advisor can enter other items of information on the screen to complete the repair order. These fields may include time and date promised, additional contact instructions, additional contact number, service advisor number and other services desired." However, as already discussed above, Himes discloses that the system also provided recommended services. As a result, if one of those services were an oil change it would have been inherent for the system to provide available dates and times for when the next oil change would be due. Moreover, the above date and time as disclosed by Himes are for when the customer has arrived to the dealership for specific maintenance issues. At which point, the advisor would provide the date and time for which repairs would be finished so that the customer can pick up the vehicle.

36.   Applicant argues that Himes fails to disclose or suggest "determining whether a recall exists for the customer's vehicle based on the input information." However, as already discussed above, Himes discloses specific maintenance schedules and recommended vehicle maintenance schedules.

37.   Applicant argues that Himes fails to disclose or suggest "transmitting the input information to the customer prior to transmitting the appointment request. As best understood by the Examiner, Himes discloses that the customer inputs the necessary information within the system. After the information is inputted a copy of the information is displayed to the user in order to verify that all the information is correct, which is old and well known in the art. After everything has been verified, the inputted information is sent over the Internet and to the ERA or DMS that is being used.

Conclusion

38.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerardo Araque Jr. whose telephone number is

(571)272-3747. The examiner can normally be reached on Monday - Friday 8:30AM -

4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Janice Mooneyham can be reached on (571) 272-6805. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. A./
Examiner, Art Unit 3689
10/17/08

/Janice A. Mooneyham/
Supervisory Patent Examiner, Art Unit 3689